

BAIL IN PATENT CASE

Barton, Everding, and Heany Are Released.

INVENTION WORTH MILLIONS

Friends of Accused Talk of Conspiracy on Part of Electric Concern Who Wanted to Buy Device Patent May Be Canceled Through Courts if Charges Are Upheld.

Ned W. Barton, assistant examiner in the Patent Office, Henry E. Everding, the Philadelphia lawyer, and John A. Heany, of New York, Pa., the inventor, indicted by the grand jury on Thursday, charged with destroying government records in the Patent Office, were released on bond yesterday afternoon.

The Title Guarantee and Insurance Company, of Scranton, Pa., went surety in the amount of \$10,000 for each man. The men are charged with destroying certain papers, filed with an application made by Heany for a patent on an appliance used in connection with incandescent and arc lights.

A patent was issued to Heany in November, 1907. As a result of the action of Barton, it is charged, the patent involves the use of "tungsten" filaments for electric light bulbs, which, it is said, will revolutionize that industry.

The tungsten, it is claimed, will give forth the same illumination now furnished by the carbon filament at an expense of only one-fifth the electric power now consumed. When it is considered that 3,000,000 incandescent bulbs are sold annually, some idea of the value of the patent may be formed.

It is said that this improved patent has been sought by twenty large electrical concerns in the United States, which had filed applications for various improvements.

It is alleged that as the specifications filed by these applicants would reach Barton he would garner the ones needed to perfect the Heany patent and would incorporate them in the Heany application. To do this, it is declared, it became necessary to destroy some original papers.

Shortly after the patent was issued to Heany, it is said, electrical manufacturing concerns, among them the General Electric Company, became suspicious. Detectives employed by them, it is said, furnished them with information incriminating the three men indicted, and this information was turned over to Secretary Garfield.

Barton has been dismissed from his position in the Patent Office, by the Commissioner of Patents. He was appointed from New York City in 1903, and his salary was \$1,400 per annum.

Conspiracy Is Defense. A friend of Mr. Heany last night declared Heany and the two others indicted were the victims of a conspiracy upon the part of the electrical concerns who desired to purchase the patent.

One concern, it was stated, had an option upon the patent, which has expired. When that concern made application to renew the option, Heany declined, because, it is stated, he realized for the first time its immense value. The patent in its present form is said to be worth several million dollars.

It is thought probable legal steps will be taken to cancel the patent, if the charges against the men are substantiated.

STRANGER GIVES HER MONEY.

Throws It in Vestibule and Runs When She Refuses It.

Having five good \$1 bills put into her hand by a stranger, and, when she refused to take them, having them thrown into the vestibule of her home, was what happened to Mrs. P. G. Adee, of 1015 Fifteenth street northwest.

Yesterday afternoon Mrs. Adee answered a ring at her doorbell. A strange man stood in the vestibule. When the door was opened the man offered the bills to Mrs. Adee.

Saying he had found them in front of her doorway, he started away. Mrs. Adee insisted that the money did not belong to her and handed the bills back. The man threw them in the vestibule and ran down the street.

Mrs. Adee gave the bills into the keeping of Detective Fortney, of the Second precinct, reciting the circumstances. The money is now resting in the safe at the station-house.

The dollars are nearly new, are crisp and clean, and to all outward appearance, are not tainted. They have been pronounced good currency, equivalent to a new \$5 gold piece.

No one has yet put in a claim for this money. The police are astounded as to what shall be done with it.

That there is a hood connected in some way with the money seems the general opinion.

Arrange for a Barbecue.

The William Murrell Republican Association organized and published permanent headquarters at 1639 East Market street, Georgetown, last night. Resolutions were passed endorsing Gen. A. S. Burt and J. W. Patterson as delegates to the Chicago convention, and pledging the support of the organization. A committee was appointed to arrange an old-fashioned barbecue for the last Saturday in March. Delegates were appointed to represent the association in the central committee of the United Republic Clubs.

Machinists Give Dance.

Columbia Lodge, No. 174, International Association of Machinists, gave a complimentary entertainment and dance last night at Odd Fellows hall, Seventh street northwest. Dancing was enjoyed until a late hour. The committee in charge of arrangements was J. P. Vernein, W. T. Lawrence, Thomas Byers, A. Cox, J. F. Daugherty, and R. E. Lankford.

Denies Giving the Order.

Frank P. Sargent, Commissioner General of Immigration, said yesterday he had not given any orders for the arrest of Emma Goldman, with a view to her deportation for the last Saturday in March. Sargent said when the Bureau of Immigration last heard of Emma Goldman she was in St. Louis.

Root Won't Go to Frisco.

Secretary Root announced yesterday that he had declined the invitation of the citizens of San Francisco to visit that city on the occasion of the arrival of the battleship fleet there.

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ORCHESTRA GIVES CONCERT.

Technical High School Talent Present Musical Programme.

A musical concert was given by the Technical High School Orchestra at the Business High School, Ninth street and Rhode Island avenue northwest, last night.

Mrs. Dayelle Taylor Welch sang a soprano solo; Dana C. Holland sang a bass solo, "The Arab's Bride"; Mark Lunsburgh played a violin solo from Mendelssohn, with orchestral accompaniment; Mrs. Dana C. Holland sang a contralto solo; George W. Sutherland played a trombone solo; Miss Florence Bean and Mark Lunsburgh furnished a contralto solo, with violin obligato; Antonio Celio played a sonata, "Fantasia," on the flute, and the Philharmonic quartet, composed of Mrs. Welch, Mrs. William K. Miller, Miss Lillian Chenoweth, and Mrs. Dana C. Holland, sang several selections.

DIES AFTER SHORT ILLNESS

James E. Nichol, Superintendent of Sunday School, Passes Away.

Long a Popular Leader of Class at Ninth Street Christian Church.

James E. Nichol, superintendent of the Ninth Street Christian Church Sunday school for more than ten years, died at his residence, 506 Eighth street northeast, yesterday afternoon. Mr. Nichol was forced by illness to leave his desk in the Treasury building about ten days ago. After going to bed he grew rapidly worse, until his death, the direct cause of which was neuritis of the heart.

Mr. Nichol was born in Jackson County, Mich., in 1832, and was the son of a well-to-do farmer. He received his education in the schools of his native State and was graduated from the State Normal School.

After teaching in the public schools of Algonac, Bronson, and Wayne, Mich., for a number of years, he was appointed clerk in the record and pension office of the War Department. He remained in this position for a number of years, and was then transferred to the Sixth Auditor's Office in the Treasury Department.

He became a member of the Ninth Street Christian Church shortly after taking up his residence in Washington and was made superintendent of the Sunday school. Under his able and efficient leadership the school has taken its place in the front rank of the Sunday schools of the District. He was loved by every member of the church and his class.

Mr. Nichol was the youngest master of the Masonic lodge in his native State. He was a member of Myron M. Parker Lodge, No. 27, F. A. A. M.; Potomac Lodge, No. 66, Order of the Ironworkers, and National Tent, No. 1, Knights of the Maechons.

He leaves a widow and four children—James W., Harvey R., Lulu M., and Alfred H. Nichol.

Funeral services will be held Monday afternoon at 2 o'clock at the Ninth Street Christian Church, Rev. G. A. Miller, pastor, officiating. Interment will be in Congressional Cemetery with Masonic ceremonies. The pallbearers will be selected from among intimate friends in the lodges with which he was affiliated, the church of which he was a member, and in the Treasury Department.

DR. SONNENSCHMIDT IS DEAD

Eminent Homeopathic Physician of National Capital.

Native of Germany Who Served in Civil War and Worked in Government Service as Young Man.

Dr. Charles W. Sonnenschmidt, one of the oldest and, until he retired from general practice about ten years ago, one of the most prominent homeopathic physicians of this city, died at 4:50 o'clock yesterday afternoon at his apartment in the Thoburn building, 1015 Fifteenth street northwest.

Death was due to heart disease. Dr. Sonnenschmidt, a native of Germany, came to this country alone as a young man. After a stay in New York City, where he earned a livelihood and mastered the English language, he proceeded to this city, and was employed as expert draftsman in the War Department.

He became a naturalized American citizen October 25, 1888. During the civil war he served with the War Department regiment, forming part of the force of government employees organized to protect the National Capital.

Graduating from the medical department of Georgetown University, Dr. Sonnenschmidt took up the study of homeopathy, and soon took rank as one of the foremost practitioners of that school. He also enjoyed an enviable reputation as a surgeon in his younger days, but subordinated that to the general practice of medicine.

He was one of the founders of the Washington Homeopathic Medical Society, and for many years served as its secretary. He was also actively interested in the Homeopathic Hospital, working hard for its success after its establishment. For a long period he was a member of the attending staff.

He was frequently called in consultation, in difficult cases, by his fellow-practitioners, and his advice was usually followed. To young physicians, struggling for a foothold, Dr. Sonnenschmidt was ever friendly, and never too busy to render assistance. Of late years he had confined himself mostly to office practice, and although calling himself an amateur, he was regarded as an artist, both in oil and water colors, of no mean ability.

Heart trouble manifested itself several years ago. He did not fall perceptibly until last fall, when he realized his days were numbered and made the necessary preparations, repeatedly expressing himself as ready, and thoroughly satisfied.

Last Thursday afternoon he intimated that he would probably pass away the following day. At a late hour Thursday night, as mentally alert as ever, he was engaged in conversation with relatives, and escorted visitors to the doorway of his apartment, bidding them good-night. Later, he retired, lapsed into unconsciousness, gradually grew weaker, and passed away peacefully.

Dr. Sonnenschmidt was the son of a Lutheran minister, and was born January 2, 1832, Cantemore Heinrich Sonnenschmidt, of Sangerhausen, Germany, is his brother. His nearest relative in this city is his stepson, Capt. C. Fred Cook. Arrangements for the funeral have not been completed. Services will probably be held next Monday afternoon. The interment, which will be private, will be beside the remains of his wife, who died just four years ago, in the family lot in Glenwood Cemetery.

THIRD TERM BOOMED

"Second Elective" Movement to Take Definite Form.

TAFT MEN GROW ANXIOUS

Some See in Senator Bourne's Pet Scheme a Chance for a Disastrous Scheme in the Roosevelt Cabinet. West Would Welcome Chance to Choose Between the Two.

Jonathan Bourne, of Oregon, and a few kindred political spirits are causing worry to friends of the President, who had not expected this test of their loyalty.

The boomers of the "second elective term" have practically completed arrangements to open headquarters in the National Metropolitan Bank Building, which the Republican National Committee has headquarters.

Ample headquarters with the usual literary necessities and a full complement of stenographers, and other errand matter and ill will will be sent out to the press, and the work of organization will be carried on in each State.

The boomers say that President Roosevelt has not been consulted and that it is not necessary to consult him. Senator Bourne, the principal promoter, is a man of independent financial resources, able to indulge in political tastes, and he is thoroughly in earnest in the "second elective term" movement. It is said that he will not have to bear the financial burden of the undertaking entirely, but will get substantial assistance from other rich men.

Movement Worries Taftites.

There is said to be much concern among Secretary Taft's friends over the movement to be started by Senator Bourne. Some of them brought the matter to the President's attention yesterday, but were soothed with the assurance from Mr. Roosevelt that Secretary Taft's nomination was already as good as accomplished, and that the only concern the Taft men should feel was as to the election.

He expressed his impatience with Senator Bourne, and feelingly inquired of Mr. Bourne's persistent quest for a "second elective term" sentiment.

But the President's suggestion that the election is being echoed from other quarters. Many Senators and Representatives have been saying in the last few days, or since Senator Bourne's plan got under way, that the nomination of the President is in the political cards.

See Chance for Clash.

Some of the Taft adherents declared yesterday that the so-called "second elective term" movement was really a reactionary movement in disguise, and that its sole purpose was to divide the administration forces and bring about a clash between the President and Secretary Taft, resulting possibly in the resignation of Mr. Taft from the Cabinet. These critics of Senator Bourne's propaganda declared that at the proper time the President would be asked to attach a can to the "second-elective termers" and start the movement for the fall grass.

Meanwhile the movement to renominatize President Roosevelt is getting much encouragement, not only from the West, where the Roosevelt sentiment appears to be the real life of the Taft movement, but from the East, where suggestions are being made that Taft could not be elected if nominated, and that the solution of the problem is the President's renomination.

La Follette Not for Taft.

That Senator La Follette will turn his strength to the President in preference to Secretary Taft, after he has had the benefit of a complimentary vote, seems assured. Utah is another State that is ready to turn to the President, but has hesitated to fall into line for Taft.

One of the most active second-elective term boosters is Cecil Lyon, of Texas. He declines to line up for Taft, but has not forfeited the respect of the President by his reluctance, for on his recent visit here he was the President's companion on long walks. The President explained to certain intimate Taft workers that he was not responsible for Mr. Lyon's views, and could not control him, and was not disposed to quarrel with the Texan over the matter.

It is then, it is said, certain close friends of the President show over the second-elective term movement that worries the Taft men.

HOBSON IDEAS MAY WIN OUT.

President to Ask Battle-ship Appropriations in Special Message.

President Roosevelt intends to send a special message to Congress urging appropriation for construction of four battle ships of the Delaware class.

This action will be based on that portion of the naval appropriation bill soon to be reported. The Committee on Naval Affairs will include in the bill an authorization for the construction of two battle ships, but no clause appropriating money for building them, leaving the appropriation to be made at the second session of the present Congress.

The attitude of the committee is unsatisfactory to the President. This has been made known to Speaker Cannon and other House leaders, but without any apparent influence upon their stand against a heavy appropriation for armored vessels at this time.

Representative Richmond Pearson Hobson, of Alabama, who sunk the Merrimack in the harbor of Santiago when he was an officer of the navy, and his arguments in favor of four battle ships have impressed the President.

"The bill will carry appropriations for naval purposes aggregating approximately \$120,000,000.

Coxey Gets in Bill.

At the request of "Gen." Jacob S. Coxey, late of the Commonwealth army, Representative Brumm, of Pennsylvania, yesterday introduced a bill known as "An act to provide for public improvement and

Hamilton Mable to Lecture.

Hamilton F. Mable, of New York, editor of the Outlook magazine, will give a lecture Sunday afternoon in the gymnasium hall of the Young Men's Christian Association, 178 G street northwest. Mr. Mable's subject will be "The higher use of business." President Cuno Rudolph, of the board of trade, has sent out notices calling attention to the lecture.

Mr. Marshall Is Better.

Robert Marshall, district inspector of bridges, who has been seriously ill for some time, is reported to be out of danger.

PHILES CURED IN 6 TO 14 DAYS. PAO DANIEL, who has been seriously ill for some time, is reported to be out of danger.

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employment of citizens of the United States, and to encourage industry and to procure money to purchase and pay for public utilities. The measure authorizes an appropriation of \$150,000,000 for public improvements in order that labor may be provided for the unemployed.

REPEAT THEIR CIRCUS.

Another Night of Pleasure at Y. M. C. A. Gymnasium.

Barkers barked, peanuts cracked, clowns romped, and the "small boys" eyes opened wide with wonder last night at the second performance of the indoor winter circus in the gymnasium of the Young Men's Christian Association building, in G street northwest.

Thursday night's success was repeated, and in attendance the initial performance was surpassed. A real, modern, four-ring circus, with the real freaks and real animals, could not have pleased its audience more than the amateurs of the Y. M. C. A. "Those who participated in the "show" look forward with pleasant anticipation to a repetition of the circus next

MANY VICES IN THIS BODY

Services Will Be Held at 2 o'clock This Afternoon—Pews Open to the Public.

The funeral of Crosby Stuart Noyes, late editor of the Evening Star, will take place this afternoon from St. Thomas' Protestant Episcopal Church, Eighteenth street, near Dupont Circle.

Services will begin, as planned, at 2 o'clock. Rev. C. Ernest Smith presiding. Rev. Dr. Edward Everett Hale will participate in the obsequies by special request of Mr. Noyes. From the church the cortege will proceed to Rock Creek Cemetery for the interment.

All yesterday the body of the distinguished editor lay at the home of Theodore W. Noyes, 1720 New Hampshire avenue, while a continuous stream of visitors passed by to view, for the last time, the features of their friend. Members of the Oldest Inhabitants' Association were among those who called to see the body.

This association will attend the services, and many members of the Columbia Historical Society and other organizations with which the late editor was affiliated will also be present. Pews will be reserved for the delegations from these civic and patriotic societies, and for the family and nearest friends. All other seats will be open to the public.

HARPER TRIAL CONTINUED.

Counsel for Both Sides Argue Over Evidence of Witness.

Counsel for both sides offered arguments as to the admissibility of evidence by a lay witness in the Robert N. Harper trial, and after spending the morning in argument, the court allowed counsel for defense to call his chief witness, William G. Carter. He testified to having seen "Curfewdake," Judge Kimball ruled that the witness could testify as to whether or not the remedy had stopped his headache, but could give no evidence tending to show the physiological effects of the drug.

KENTUCKY SUBMITS ITS BRIEF

State Opposes Co-education of the Whites and Blacks.

Papers in Interesting Case Are Received by Supreme Court, Which Will Decide It.

The clerk of the Supreme Court of the United States yesterday received from Attorney General Breathitt, of Kentucky, and his counsel, N. B. Hays, Thomas McGregor and Charles H. Morris, their brief in behalf of the State in the case of Berea College vs. The Commonwealth of Kentucky, which will be argued before the Supreme Court within a few weeks. The case is brought to the Supreme Court on the question of the constitutionality of the act of the Kentucky legislature four years ago, prohibiting whites and negroes from attending the same school.

Judge Breathitt declares in his brief that the State statute does not encroach on the civil rights of either race, nor does it discriminate against the civil rights of either. "This statute," says the attorney general of Kentucky, "was intended to prevent these two streams of life from flowing into a common channel; to preserve race identity, and to maintain the purity of blood. It is the public policy of Kentucky to require the equal but separate education of the two races, that, while guaranteed equal civil rights, it is the policy of the State of Kentucky to maintain a separate social status."

"How is the State to maintain a separate social status? If the young white and colored children are permitted to go voluntarily to school together; to sit together; to eat together; to recite together; to study together; to sleep together; to associate together, and to become the guests of each other, may we ask what more is needed to constitute social equality? But let social equality be once established, and mutual attachment will follow as surely as the day does the night; first among the weaker members of each race, and finally among all, resulting in the destruction or blotting out of the individuality and identity of each race."

Assembly Gives a Dance.

Members of the District Assembly gave their initial dance at Pythian Temple last night. About 150 couples assembled for the grand march. The committee on arrangements were: W. H. McComas, W. C. Woods, W. E. Gallagher, George T. Berkeley, Charles Baker, H. A. Vanderport, George E. Doolittle, Albert A. Lendey, Harry Davis, William O'Brien, James M. McDaniel, Arthur L. Hamill, Jr., and J. L. Ward.

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GIVE BENEFIT BALL

Daughters of the South Hostesses at the Willard.

FOR CONFEDERATE MONUMENT

Brilliant Assemblage in the Interest of Worthy Cause, the Erection of a Shaft at Arlington, Under the Auspices of the Ladies of Stonewall Jackson Chapter—Gowns Described.

The Daughters of the Stonewall Jackson Chapter were hostesses last night at the ball given at the Willard in behalf of the fund they are raising for the Confederate monument they expect to erect at Arlington, and, like the true Southern women they are, they were most hospitable hostesses, extending to all a hearty welcome.

The ball was held in the large banquet room on the main floor of the New Willard Hotel, and the ornate furnishings of the room left nothing to be desired in the way of decorations.

The clustered lights of the chandeliers were shaded with delicate pink shades, which gave a pretty touch of color and shed a rosy light over the throng of dancers below.

The highly polished floor was crowded with an eager company of dancers, young and old, who enjoyed the festivity to the utmost.

The Receiving Party.

The ladies of the receiving party were ably assisted by Mr. Lipscomb, who made the introductions, and who was determined that all should have a good time, and it was not his fault if any one did not.

The ladies in the receiving party were: Mrs. Lipscomb, Mrs. Robert Smith, wife of Representative Smith, of Texas; Mrs. Towers, Mrs. McLaren, Mrs. Atkinson, wife of Dr. Altkinson; Mrs. Butler, wife of Senator Butler, and Miss Frances Florida Lipscomb, chairman, assisted by Miss Hattie English, Miss Thayer, Miss Howard, Miss Williams, Miss Bowie, Miss Duffie, Miss Saunders, Mrs. Oden, the Misses Towers, Miss McLaurin, Miss Candler, Miss Brown, and Miss Headley.

Mr. R. P. Burruss took the tickets at the door, and Mr. Sidney Low was at the head of the floor committee.

Describing the Gowns.

Mrs. Lipscomb was gowned in a becoming costume of lavender silk with cut-work embroidery over a paler shade of silk and embellished with white chiffon and lace.

Miss Lipscomb wore a gown of lavender satin, made princess and trimmed with lace.

Mrs. Robert Smith wore white lace, veiling white silk, with a bit of color introduced in the wide surplus bands over the shoulders, which were of Dresden ribbon, in pink and white.

Mrs. Towers was richly gowned in black lace, puffed in jet built over white satin.

Mrs. McLaren was gowned in pink veiling, made with a panel effect down the front of white lace, lace also forming the corsage ornamentation.

Mrs. Atkinson was dressed in pink silk and lace.

Mrs. Samuel Sprig Belt wore black and white lace and chiffon.

Mrs. Mulcare was gowned in black lace.

Mrs. Harry Barker was gowned in pink satin, with cut-work of lace and touches of pale blue.

Mrs. John Poole was in white lace veiling, white chiffon, and silk.

Mrs. Manning's gown was of white lace.

Mrs. Butler wore white renaissance lace over white satin.

Mrs. Capers, who was accompanied by Capt. John G. Capers, wore turquoise blue silk, trimmed with lace and silver passementerie.

Mrs. Fred was gowned in white lace.

Mrs. Thornton was gowned in black lace.

The Patronesses.

The patronesses were: Mrs. Deane, Mrs. Bankhead, Mrs. Stuenkel, Mrs. William Robert Smith, Mrs. Charles Carter, Mrs. W. G. Gillespie, Mrs. E. S. Candler, Mrs. Garret, Mrs. Benjamin Moore, Mrs. Lee M. Lipscomb, Mrs. T. C. English, Mrs. John G. Capers, Mrs. Magnus Thompson, Mrs. F. A. Darling, Mrs. Robert Bowie, Mrs. Matthew C. Butler, Mrs. Archibald Young, Mrs. E. H. Beck, Mrs. H. P. Ford, Mrs. J. M. Brit, Mrs. Mulcare, Miss Virginia Miller, Mrs. S. H. Hare, Mrs. E. H. Tennant, and Mrs. C. B. Toler.